

17th Shook

06-R-1933

A RESOLUTION

BY COUNCIL MEMBER HOWARD SHOOK

AUTHORIZING THE MAYOR OR HER DESIGNEE TO ACCEPT ON BEHALF OF THE CITY OF ATLANTA AN EASEMENT FOR A SIDEWALK ADJACENT TO THE PROPERTY LOCATED AT 293 PHARR ROAD, AND TO EXECUTE AND DELIVER TO THE OWNERS OF 253 PHARR ROAD ANY DOCUMENTS NECESSARY TO EVIDENCE THE CITY'S ACCEPTANCE OF THE NEW EASEMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta constructed sidewalks adjacent to portions of Pharr Road; and

WHEREAS, the City of Atlanta and the developer of real property at 293 Pharr Road desire to install on-street parking along Pharr Road; and

WHEREAS, the installation of the on-street parking along Pharr Road requires the relocation of the sidewalk along Pharr Road in a manner which extends upon the real property at 253 Pharr Road; and

WHEREAS, the approximate square footage of the property granted by this easement is 610.84 square feet, or .014 acres; and

WHEREAS, to facilitate the installation of on-street parking, which serves the public health, safety and welfare by providing additional on-street parking, serving to calm traffic, and serving to enhance the pedestrian quality and walkability of Pharr Road, and simultaneously to ensure the ability to provide a sidewalk and a pedestrian route of travel along Pharr Road, the City of Atlanta should accept the easement from the owner of the property at 293 Pharr Road.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: The Mayor or her designee on behalf of the City of Atlanta is authorized to accept from the owner of the property at 293 Pharr Road, an easement on that portion of property containing 610.84 square feet, adjacent to and parallel to Pharr Road and extending across the frontage of the property on Pharr Road, to be approved by the City Attorney as to form.

SECTION 2: The Mayor or her designee on behalf of the City of Atlanta is authorized to execute and deliver to the owner of the property at 293 Pharr Road any documents necessary to evidence the City's acceptance of the new easement, to be approved by the City Attorney as to form.

SECTION 3: That all resolutions and parts of resolutions in conflict herewith be and the same are hereby waived in this instance only.

EXHIBIT 1
SIDEWALK EASEMENT

Easement 'A'
Sidewalk Easement

All that tract or parcel of land lying and being in land lot 100 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found at the intersection of the westerly right-of-way of North Fulton Drive (50' R/W) and the southerly right-of-way of Pharr Road (70' R/W); Thence along said right-of-way of Pharr Road the following courses and distances: North 88 degrees 37 minutes 37 seconds West, a distance of 10.30 feet to a point being the **TRUE POINT OF BEGINNING**; Thence leaving said right-of-way South 46 degrees 34 minutes 13 seconds West, a distance of 6.24 feet to a point; Thence continuing along an arc of a curve to the left an arch length of 22.53 feet, said curve having a radius of 26.70 feet and being subtended by a chord of North 89 degrees 43 minutes 04 seconds West, 23.23 feet to a point; Thence North 88 degrees 42 minutes 57 seconds West, a distance of 105.40 feet to a point; Thence North 55 degrees 49 minutes 53 seconds West, a distance of 9.07 feet to a point; Thence South 88 degrees 37 minutes 47 seconds East, a distance of 139.68 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 610.84 square feet, 0.014 Acres.

